

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES GINZKEY, RICHARD
FITZGERALD, CHARLES CERF, BARRY
DONNER, and on behalf of the class
members described below,

Plaintiffs,

v.

NATIONAL SECURITIES
CORPORATION, a Washington Corporation

Defendant.

Case No.: 2:18-cv-1773

**DECLARATION OF ALEXANDER N.
LOFTUS IN SUPPORT OF MOTION
FOR ATTORNEYS' FEES,
EXPENSES, AND SERVICE
AWARDS AND MOTION FOR FINAL
APPROVAL**

DECLARATION OF ALEXANDER N. LOFTUS, ESQ.

I, Alexander N. Loftus, declare, in support of Plaintiffs' Motion for Attorney's Fees, Expenses, and Service Awards, and Final Approval of Settlement as follows:

1. I am over the age of 18, have personal knowledge of the facts stated herein, and am competent to testify thereto.

2. I am one of the attorneys representing Plaintiffs James Ginzkey, Richard Fitzgerald, Charles Cerf, Barry Donner, and the Class.

3. I have been licensed to practice law in the State of Illinois since 2010.

4. I have dedicated my law practice to complex commercial and class litigation in

both arbitration actions and litigation worldwide. I have been lead counsel in a number of investor and consumer class action cases and now manage Loftus & Eisenberg, with seven attorneys. Until June 2020, I was a partner at Stoltmann Law Offices, P.C.

5. I have appeared in the following class actions as plaintiffs' counsel in the last five years:

- a. *Zaleski v. JJMT Capital, LLC* 2021 CH 01939 (Cook County)
- b. *Ask v. Ingen et al* 2022 CH 07561 (Cook County)
- c. *Pembeck v. Hercules Forwarding, Inc.* 2022-cv-4760 (Northern District of Illinois)
- d. *Carter v. Jeffrey Spiegel et al* 21-cv-03990 (Northern District of California)
- e. *Sharif et al v. Hull et al* 2020 CH 4743 (Cook County)
- f. *Fedance v. Clifford Joseph Harris et al* 1:19-cv-02125 (Northern District of Georgia)
- g. *Mahesh Sashital et al v. Seva Beauty et al* 1:20-cv-04692 (Northern District of Illinois)
- h. *Lee et al v. State Farm* 2020 CH 04589 (Cook County)
- i. *Praither et al v. Northbrook Bank & Trust Company* 1:18-cv-07411 (Northern District of Illinois)
- j. *Horvath et al v. Kaizen Advisory, LLC* 1:18-cv-05414 (Northern District of Illinois)
- k. *Tawech et al v. Kopelowitz Ostrow, P.A.* 1:19-cv-05825 (Northern District of Illinois)
- l. *Claiborne v. Water of Life Church* CIVDS1807987 (San Bernadino County, California)
- m. *Miles et al v. American Honda Motor Co, Inc.* 17-cv-04423 (Northern District of Illinois)
- n. *Franklin et al v. Uber Technologies Inc.* 1:17-cv-08510 (Northern District of Illinois)
- o. *Garrett v. Peet's Coffee and Tea* 2015-CH-15990 (Cook County)
- p. *Beehler v. American Honda Motor Co., Inc.* 1:16-cv-08525 (Northern District of Illinois)
- q. *Thompson v. NCO Group, Inc. et al* 1:12-cv-03590 (Northern District of Illinois)

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2 6. I have personal knowledge of the facts set forth herein and if called as a
3 witness, could and would testify competently to these facts under oath.
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5 7. My work on this matter was focused on the application of common law
6 negligence to a securities dispute. There is little case law applying common law to the factual
7 scenario at issue here so our work on the fundamental tasks of drafting the complaint and
8 moving for class certification were necessarily more time consuming than a traditional
9 statutory securities claim.

10 8. Our work on this case of applying common law negligence and FINRA Rules
11 establishing the standard of care created precedent valuable to all investors in Regulation D
12 Offerings.
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14 9. The chart attached hereto as Exhibit 1 correctly reflects my work performed
15 and time spent on this case.

16 10. My hourly rate is \$550.00 per hour which is competitive in the legal market in
17 which I practice.

18 I declare under penalty of perjury of the laws of the United States that the forgoing is
19 true and correct to the best of my knowledge, information, and belief.
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21 Dated: September 12, 2022.

22 By: /s/ Alexander N. Loftus, Esq.
23 Attorney for Plaintiffs
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